



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
1 Congress Street, Suite 1100
BOSTON, MA 02114-2023

Memorandum

Date: March 12, 2009

Subject: Newport NH0100200
Administrative Order Docket No. 09-015

From: Joy Hilton

To: File

At 11:35 a.m., I called Bob Naylor, Newport's Water and Sewer Superintendent, to answer his question about the possible implications if the Administrative Order (AO) schedule was violated because project funding was not appropriated by the Town. I told Mr. Naylor that there are a range of things that could happen. There could be an administrative penalty action with a statutory maximum of \$177,500 or the case could be referred to the Department of Justice and then could go to court where a judge would listen to Newport present its side and then would listen to EPA present its side, and then the judge would make decisions and would prepare the schedule of compliance that would be in a court order. Often, a penalty is associated with court cases.

I said that it would be a good idea to present the project's positive aspects-the benefits to the town....I mentioned that Farmington, NH had just voted to fund its WWTF upgrade project and said that the town's website had a powerpoint presentation that Wright-Pierce had prepared to present the project to the town. The W-P document lists positive aspects of the project and touches upon the possible implications of not moving forward to fund the project. Mr. Naylor said that he will take a look at the website.

I ask if there were any shovel-ready projects in Newport for the stimulous package money. He said yes. The shovel-ready project was one related to closing the Door Woolen lagoons.

I said that he should call if he has any other questions.

